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HOUSE BILL 3345 By  
Ferguson

SENATE BILL 3332  
By Davis L

AN ACT to amend Chapter 328 of the Acts of 1903; as rewritten and amended by Chapter 298 of the Private Acts of 1972 and as amended by Chapter 201 of the Private Acts of 1990; and any other acts amendatory thereto, relative to purchasing.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Article V, Section 5.07 of Chapter 328 of the Acts of 1903 as rewritten and amended by Chapter 298 of the Private Acts of 1972 and as amended by Chapter 201 of the Private Acts of 1990 and any other acts amendatory thereto, is amended by deleting such section in its entirety and substituting instead the following language:

Section 5.07 - Powers with respect to purchasing and making public improvements. Except as otherwise provided, the manager shall be responsible for all city purchasing but he may delegate his duty to any subordinate appointed by him. Competitive prices for all purchases and public improvement shall be obtained whenever practicable and in accordance with regulations established by ordinance, and the purchase made from or the contract award to the lowest responsible bidder, provided that the City shall have the power to reject any and all bids. The Council shall, by

ordinance, establish the amount which the manager may expend with regard to purchases or contracts for public improvements, provided said amount shall not exceed the bid limit required by general law. Formal sealed bids shall be obtained in all transactions involving an expenditure which exceeds the amount so set by the Council and the transaction shall be evidenced by written contract submitted to and approved by the Council; provided, that in cases where the Council indicates by formal resolution based upon the written recommendation of the manager, that it is clearly to the advantage of the city not to contract with competitive bidding, it may authorize noncompetitive contracts. The Council may also authorize the making of public improvements or the performing of any other city work by a city department or agency without competitive bidding. Purchasing and contract procedures not prescribed by the Charter or other law may be established by ordinance.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Kingston. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.